

DEPARTMENT OF STATE

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AIRGRAM

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HANDLING

CLASSIFICATION

UNCLASSIFIED

MESSAGE REFERENCE NO.

A-41

TO: Department of State

DEPT PASS :

BRASILIA, BRIDGETOWN, BRUSSELS, CARACAS, COPENHAGEN,
GEORGETOWN, MARTINIQUE, MEXICO, PARIS, PORT OF SPAIN, AND
USMISSION USUN

FROM: American Embassy PARAMARIBO

DATE: July 28, 1978

E.O. 11652:

NA

TAGS:

EFIS, PLOS, NS

SUBJECT:

Surinam's 200-Mile Economic Zone: Text of Law

REF:

Paramaribo 1040 of July 24, 1978

DEPT. DISTRIBUTION

ORIGINAL

AF	ARA	CU	EA
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SUGGESTED DISTRIBUTION

Enclosed is a copy of a note dated June 2, 1978 from Ambassador Heidweiller, Permanent Representative of Surinam to the United Nations, to Secretary-General Waldheim, containing an unofficial English translation of Surinam's law extending its territorial sea and establishing a contiguous economic zone. The law went into effect on June 11, 1978, but implementing administrative regulations have not yet been issued.

OSTRANDER

ENCLOSURE: as stated

UNCLASSIFIED

CLASSIFICATION

DRAFTED BY:

DCM: DWCo:ch

DRAFTING DATE

7/28/78

PHONE NO.

CONTENTS AND CLASSIFICATION APPROVED BY:

DCM: DWCo:ch

CLEARANCES:

H.E. Miss W. Ostrander
Ambassador Extraordinary and
Plenipotentiary of the U.S.A.
Dr. S. Redmondstraat 13
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D/Los

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No. 1376

2 June 1978

Excellency,

I have the honour to transmit to you the unofficial translation in English of the text of the Law containing the extension of the territorial Sea of the Republic of Suriname and the establishment of a contiguous economic zone which will come into effect from 11 June 1978.

I have the honour to request that said unofficial translation be circulated to all Member States of the United Nations.


Mr. H.A.F. Heidweiller
Permanent Representative
of the Republic of Suriname to the
United Nations

H.E. Mr. Kurt Waldheim
Secretary-General
United Nations

LAW CONTAINING THE EXTENSION OF THE TERRITORIAL SEA OF THE REPUBLIC OF SURINAME
AND THE ESTABLISHMENT OF A CONTIGUOUS ECONOMIC ZONE.

THE PRESIDENT OF THE REPUBLIC OF SURINAME,

HAVING CONSIDERED THAT IT IS DESIRABLE TO EXTEND THE TERRITORIAL SEA OF
THE REPUBLIC OF SURINAME, AS WELL AS TO ESTABLISH A CONTIGUOUS ECONOMIC
ZONE, HAS, HAVING HEARD THE ADVISORY BOARD AND IN CONSULTATION WITH
PARLIAMENT, RATIFIED THE FOLLOWING LAW:

ARTICLE 1

- I. THE SOVEREIGNTY OF THE REPUBLIC OF SURINAME EXTENDS BEYOND THE LAND
TERRITORY AND THE INTERNAL WATERS TO:
 - A. A BELT OF SEA ADJACENT TO ITS COAST AND DESCRIBED AS THE
TERRITORIAL SEA;
 - B. THE AIR SPACE ABOVE THE TERRITORIAL SEA AND
 - C. THE SEA-BED AND THE SUBSOIL OF THE TERRITORIAL SEA.

THE REPUBLIC OF SURINAME EXERCISES THIS SOVEREIGNTY WITH DUE OBSERVANCE
OF THE RULES OF INTERNATIONAL LAW.

ARTICLE 2

THE OUTER LIMIT OF THE TERRITORIAL SEA IS DETERMINED BY A LINE, EACH POINT
OF WHICH IS SITUATED AT A DISTANCE OF 12 NAUTICAL MILES FROM THE NEAREST
POINT ON THE LINE OF THE LOW-WATER MARK ALONG THE SHORE, THE SO-CALLED
BASELINE.

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ARTICLE 3

THE BELT OF SEA ADJACENT TO AND EXTENDING FROM THE OUTER LIMIT OF THE TERRITORIAL SEA OF THE REPUBLIC OF SURINAME TO A DISTANCE OF 200 NAUTICAL MILES, MEASURED FROM THE LINE OF THE LOW-WATER MARK AS DEFINED IN ARTICLE 2 OF THIS LAW, IS CONSIDERED THE ECONOMIC ZONE.

ARTICLE 4

- I. IN THE ECONOMIC ZONE THE REPUBLIC OF SURINAME HAS SOVEREIGN RIGHTS CONCERNING THE EXPLORATION, EXPLOITATION, CONSERVATION AND MANAGEMENT OF NATURAL RESOURCES, LIVING AS WELL AS NON-LIVING, ON THE SEA-BED AND IN THE SUBSOIL AND THE SUPERJACENT WATERS.
2. WITHOUT PREJUDICE TO THE ABOVE IT CAN BE DECREED THAT THE PROVISIONS OF THIS LAW AND THE INSTRUCTIONS BASED THEREON SHALL ALSO APPLY TO:
 - A. TO ERECT AND USE ARTIFICIAL ISLANDS, INSTALLATIONS AND SIMILAR STRUCTURES;
 - B. TO PROTECT THE SEA ENVIRONMENT, THIS INCLUDES TAKING MEASURES AGAINST POLLUTION;
 - C. TO CONDUCT SCIENTIFIC RESEARCH AND EXPERIMENTS;
 - D. TO EXTRACT ENERGY FROM WATER CURRENTS AND WINDS;
 - E. TO ENGAGE IN OTHER ACTIVITIES AIMED AT THE ECONOMIC EXPLORATION AND EXPLOITATION OF THIS ZONE.

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ARTICLE 5

IN THE ECONOMIC ZONE DESCRIBED ABOVE, ALL NATIONS, WITH DUE OBSERVANCE OF THE INTERNATIONAL LAW, ENJOY:

1. FREEDOM OF NAVIGATION;
2. FREEDOM OF OVERFLIGHT;
3. FREEDOM TO LAY SUBMARINE CABLES AND PIPELINES;
4. FREEDOM TO EXERCISE INTERNATIONALLY RECOGNIZED RIGHTS IN CONNECTION WITH NAVIGATION AND COMMUNICATION.

ARTICLE 6

1. NO ONE IS ALLOWED, WITHOUT A LICENSE PREVIOUSLY ISSUED BY GOVERNMENT DECREE, TO ENGAGE IN ACTIVITIES IN THE ECONOMIC ZONE WHICH CONSTITUTE AN INFRINGEMENT OF THE RIGHTS STATED IN ARTICLE 4.
2. GENERAL CONDITIONS WHICH A LICENSE HOLDER WILL HAVE TO MEET MAY BE LAID DOWN BY GOVERNMENT DECREE. MOREOVER, WHEN A LICENSE IS GRANTED, SPECIAL CONDITIONS MAY BE MADE IN IT OR OBLIGATIONS ATTACHED TO IT.
3. A LICENSE MAY BE REVOKED AT ALL TIMES ON ACCOUNT OF ACTIVITIES WHICH VIOLATE ONE OR MORE CONDITIONS OR OBLIGATIONS UNDER WHICH IT WAS GRANTED AND, FURTHERMORE, AT THE EXCLUSIVE DISCRETION OF THE APPROPRIATE AUTHORITY, ON THE GROUND OF REASONS WHICH DERIVE FROM THE PUBLIC INTEREST OR IF THE NATIONAL INTEREST MAY SO REQUIRE.
A SIMILAR DECISION WILL MENTION THE GROUNDS ON WHICH IT IS BASED.
IN SPECIAL CASES THIS MAY BE OMITTED.

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ARTICLE 7

1. INTENTIONAL VIOLATION OF THE PROVISIONS STATED IN OR RESULTING FROM THIS LAW WILL BE PUNISHABLE WITH A PRISON TERM OF MAXIMUM SIX YEARS AND A FINE OF MAXIMUM FIVE HUNDRED THOUSAND GUILDERS.
2. IN THE CASE OF A PRISON SENTENCE, THE JUDGE MAY IMPOSE A FINE AS WELL.

ARTICLE 8

1. NON-INTENTIONAL VIOLATION OF THE PROVISIONS STATED IN OR RESULTING FROM THIS LAW WILL BE PUNISHABLE WITH A JAIL TERM OF MAXIMUM ONE YEAR OR A FINE OF MAXIMUM ONE HUNDRED THOUSAND GUILDERS.
2. IN THE CASE OF A JAIL SENTENCE THE JUDGE MAY IMPOSE A FINE AS WELL.

ARTICLE 9

A PERSON WHO DOES NOT FULFILL ONE OR MORE CONDITIONS ATTACHED TO THE LICENSE, AS STATED IN ARTICLE 6, OR WHO DOES NOT DO SO ON TIME OR IN FULL, OR A PERSON WHO ACTS IN VIOLATION OF SUCH CONDITIONS, WILL BE PUNISHED WITH A FINE OF MAXIMUM ONE HUNDRED THOUSAND GUILDERS.

ARTICLE 10

THE ACTS MADE PUNISHABLE IN ARTICLE 7 WILL BE CONSIDERED AS CRIMINAL OFFENSES AND THOSE MADE PUNISHABLE IN ARTICLES 8 AND 9 AS MISDEMEANORS.

ARTICLE 11

THE OBJECTS USED TO COMMIT OFFENSES AS DESCRIBED IN ARTICLES 7, 8 AND 9, AS WELL AS GOODS OBTAINED FROM THE OFFENSE, MAY BE CONFISCATED.

ARTICLE 12

1. IF THE OFFENDER IS UNKNOWN OR HAS DIED BEFORE THE START OF THE PROSECUTION, THE CONFISCATION MAY BE DECIDED UPON BY JUDICIAL DECREE, AT THE REQUEST OF THE PUBLIC PROSECUTOR.
2. THE DECREE WILL BE MADE PUBLIC BY THE REGISTRAR IN THE ADVERTENTIEBLAD OF THE REPUBLIC OF SURINAME AND/OR IN ONE OR MORE NEWSPAPERS TO BE CHOSEN BY THE JUDGE.
3. THE DECREE WILL TAKE EFFECT, EXCEPT IF A PARTY CONCERNED FILES A PETITION WITH THE REGISTRAR WITHIN TWO MONTHS AFTER PUBLICATION AND IF IT APPEARS IN THE COURSE OF FURTHER INVESTIGATION, THAT NO OFFENSE WAS COMMITTED REGARDING THE MATTER IN QUESTION.
4. DURING FOURTEEN DAYS THE ATTORNEY GENERAL HAS THE RIGHT TO APPEAL DECREES ISSUED IN ACCORDANCE WITH PARAGRAPH 1, TO THE COURT. THE SAME APPLIES TO DECREES ISSUED ON ACCOUNT OF PARAGRAPH 3, RESULTING FROM A PETITION.

ARTICLE 13

IF ONE OF THE ACTS MADE PUNISHABLE IN ARTICLES 7, 8 AND 9, IS COMMITTED

BY OR THROUGH A GROUP OR CORPORATION, CRIMINAL PROSECUTION WILL BE INSTITUTED AND THE SENTENCE PRONOUNCED AGAINST THE ONE WHO ORDERED THE PERPETRATION OF THE ACT OR WHO WAS THE ACTUAL LEADER OF THE UNLAWFUL ACTIVITY OR NEGLECT.

ARTICLE 14

1. THE PUBLIC PROSECUTOR HAS THE AUTHORITY, IN THE CASE OF ACTS MADE PUNISHABLE BY ARTICLES 7, 8 AND 9, TO LAY DOWN CONDITIONS THE VOLUNTARY FULFILMENT OF WHICH WILL CANCEL THE RIGHT TO PROSECUTION.
2. THE LEGAL PROVISIONS WHICH APPLY IN THIS MATTER TO MISDEMEANORS, WILL BE APPLICABLE IN A SIMILAR FASHION TO CRIMINAL OFFENSES AS DESCRIBED IN ARTICLE 7.

ARTICLE 15

1. WITH THE INVESTIGATION OF ACTS MADE PUNISHABLE BY THIS LAW ARE CHARGED, BESIDES PERSONS ASSIGNED BY ARTICLE 8 OF THE PENAL CODE, PERSONS BELONGING TO THE ARMED FORCES OF SURINAME AND/OR OTHER PERSONS, ESPECIALLY ASSIGNED BY THE MINISTER OF JUSTICE AND POLICE.
2. THE INVESTIGATORS ARE AT ALL TIMES AUTHORIZED TO CONFISCATE, OR CLAIM FOR CONFISCATION, ALL OBJECTS WHICH MAY LEAD TO THE DISCOVERY OF THE TRUTH OR OF WHICH THE CONFISCATION OR DESTRUCTION,

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TOTAL OR PARTIAL, MAY BE ORDERED.

ARTICLE 16

1. IF THE GOODS CONFISCATED ON THE GROUND OF ARTICLE 15 CONTAIN PERISHABLES, THE ATTORNEY GENERAL MAY GRANT PERMISSION FOR THE SALE OF THESE GOODS OR MERCHANDISE.
2. THE SALE WILL BE CONDUCTED IN PUBLIC BY THE INVESTIGATORS, AND ACCORDING TO LOCAL CUSTOM.
3. PROCEEDS FROM THE SALE OF GOODS OR MERCHANDISE AS MENTIONED ABOVE MAY BE CONFISCATED.

ARTICLE 17

IF THE MATTERS DEALT WITH IN THIS LAW REQUIRE AMENDING FOR THE SAKE OF ITS PROPER EXECUTION, A GOVERNMENT DECREE MAY BE ISSUED TO THAT EFFECT.

ARTICLE 18

THIS LAW WILL TAKE EFFECT ON THE DAY FOLLOWING THE DAY OF ITS PROCLAMATION.

ISSUED AT PARAMARIBO, APRIL 14, 1978

JOHAN H. FERRIER

THE MINISTER OF GENERAL AND FOREIGN AFFAIRS, H.A.E. ARRON

THE MINISTER OF JUSTICE AND POLICE, S. BADRISING

THE MINISTER OF AGRICULTURE, ANIMAL HUSBANDRY AND FISHERIES, J. SISAL